

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

WAU 22-028495  
LOGS Legal Group LLP  
14000 Commerce Parkway, Suite B  
Mount Laurel, NJ 08054  
(856) 793-3080  
ATTORNEYS FOR WELLS FARGO BANK, N.A.,  
D/B/A WELLS FARGO AUTO

In Re:

DOMINICK GARRETSON AND BARBARA  
GARRETSON,  
  
DEBTORS

Case No.: 18-23486-RG

Judge: HONORABLE ROSEMARY  
GAMBARDELLA

Chapter: 13

### **NOTICE OF MOTION TO VACATE THE AUTOMATIC STAY**

TO: Steven J. Abelson, Attorney for Debtors  
Abelson Law Offices  
80 West Main Street  
P.O. Box 7005  
Freehold, NJ 07728

Marie-Ann Greenberg, Trustee  
30 Two Bridges Road  
Suite 330  
Fairfield, NJ 07004

Dominick Garretson, Debtor  
428 River Road  
North Arlington, NJ 07031

Barbara Garretson, Debtor  
428 River Road  
North Arlington, NJ 07031

Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto has filed papers with the court requesting relief from the Automatic Stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant relief from the Automatic Stay to Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto with regard to the 2013 Honda Pilot VIN 5FNYP4H52DB053220 or if you want the court to consider your views on the motion, then on or before June 8, 2022, you or your attorney must:

File a written response in opposition to this motion explaining your position and send to:

Clerk of the United States Bankruptcy Court  
Martin Luther King, Jr. Federal Building  
50 Walnut Street  
Newark, NJ 07102

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

LOGS Legal Group LLP  
14000 Commerce Parkway, Suite B  
Mount Laurel, NJ 08054

Marie-Ann Greenberg, Trustee  
30 Two Bridges Road  
Suite 330  
Fairfield, NJ 07004

Additionally, you must attend the hearing scheduled for June 15, 2022, at 10:00 am  
in Courtroom 3E,

United States Bankruptcy Court  
Martin Luther King, Jr. Federal Building  
50 Walnut Street  
Newark, NJ 07102

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: 5-16-2022

Signature /s/Elizabeth L. Wassall  
Kathleen M. Magoon - 040682010  
Elizabeth L. Wassall - 023211995  
LOGS Legal Group LLP  
14000 Commerce Parkway, Suite B  
Mount Laurel, NJ 08054  
(856) 793-3080  
logsecf@logs.com

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**ORDER VACATING STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

Upon the motion of LOGS LEGAL GROUP LLP, Attorneys for WELLS FARGO BANK, N.A., D/B/A WELLS FARGO AUTO under Bankruptcy Code section 362(d) for relief from the Automatic Stay as to certain personal property as hereinafter set forth, and for cause shown,

1. It is ORDERED that the Automatic Stay of Bankruptcy Code section 362(a) is vacated to permit the movant to rights in the personal property described below to the extent and in the matter provided by any applicable contract documents and non-bankruptcy law.

\_\_\_\_\_ Personal property described as: **2013 Honda Pilot**  
**VIN 5FNYP4H52DB053220**

2. It is ORDERED that the movant may join the Debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the Debtors, any trustee and other party who entered an appearance on the motion.

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In Re:

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Case No.: 18-23486-RG

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**CERTIFICATION OF SERVICE**

I, Mary Chaisson the undersigned

1. ☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Kathleen M. Magoon, Esquire and Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On \_\_\_\_\_, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

- Notice of Motion to Vacate the Automatic Stay
- Proposed Order Vacating Stay
- Statement of No Brief
- Certification in Support
- Supporting Documents
- Certification of Service

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: \_\_\_\_\_

/s/ Mary Chaisson

Printed Name

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Steven J Abelson Abelson Law Offices 80 West Main Street PO Box 7005 Freehold, NJ 07728		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Marie-Ann Greenberg 30 Two Bridges Road Suite 330 Fairfield, NJ 07004		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Dominick Garretson and Barbara Garretson 428 River Road North Arlington, NJ 07031		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.

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**STATEMENT AS TO WHY NO BRIEF IS NECESSARY**

In accordance with D.N.J. LBR 9013-1(a)(3), it is respectfully submitted that no brief is necessary in the court's consideration of this motion, as it does not involve complex issues of law.

Date: 5-16-2022

Signature: /s/Elizabeth L. Wassall  
Kathleen M. Magoon - 040682010  
Elizabeth L. Wassall - 023211995  
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**CERTIFICATION IN SUPPORT OF MOTION BY WELLS FARGO BANK, N.A.,  
D/B/A WELLS FARGO AUTO  
FOR RELIEF FROM AUTOMATIC STAY**

I, Shelita Edwards, declare under penalty of perjury as follows:

1. I am authorized to sign this certification as a(n) Bankruptcy Processor of Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto ("Wells Fargo Auto"). This certification is provided in support of the Motion for Relief from Stay (the "Motion") filed contemporaneously herewith.

2. As part of my job responsibilities I have personal knowledge of and am familiar with the types of records maintained by Wells Fargo Auto in connection with the Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto account that is the subject of the Motion (the "Account") and the procedures for creating those types of records. I have access to and have reviewed the books, records and files of Wells Fargo Auto that pertain to the Account and extensions of the Debtor(s) concerning the property securing such Account.

3. The information in this certification is taken from Wells Fargo Auto's business records regarding the Account. The records are: (a) made at or near the time of the occurrence of the matters recorded by persons with personal knowledge of the information in the business record, or from information transmitted by persons with personal knowledge; and (b) kept in the course of Wells Fargo Auto's regularly conducted business activities. It is the regular practice of Wells Fargo Auto to create and maintain such records.



4. On April 9, 2016, the Debtor(s) entered into a Retail Installment Contract (the "Agreement") in connection with the purchase of a 2013 Honda Pilot VIN 5FNYP4H52DB053220 ("Vehicle/Vessel"). A true and correct copy of the Agreement is attached to this certification. The Agreement was assigned to Wells Fargo.

5. To secure repayment of amounts due under the Agreement, the Debtor granted a security interest in the Vehicle/Vessel. The security interest was duly perfected as evidenced by the attached. Wells Fargo has a valid perfected security interest in the Vehicle/Vessel.

6. The following information sets forth the retail value of the Vehicle/Vessel and the status of Debtor's account:

A. Retail Value: \$17,025.00 \*obtained in the month of April 2022

\*Values derived from NADA Official Used Car Guide, a true and correct copy of which is attached.

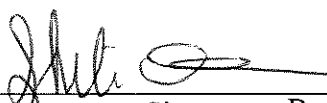
Account status as of 04/25/2022, Account is due for the 09/24/2020 payment(s) in the total amount of \$8,361.81.

B. Statement of amount due under Agreement

- Current payoff balance \$8,361.81 as of 04/25/2022.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED on May 11, 2022.

  
\_\_\_\_\_  
Signature Bankruptcy Processor